

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JOSEPH BELILE, 08A3707,

Plaintiff,

-v-

C.O. JONATHAN MURPHY, C.O. JOHN DOE #1,
C.O. JOHN DOE #2 and Sgt. MICHAEL BACKER,

Defendants.

DECISION and ORDER

10-CV-6501F

FILED

DEC 23 2010

MICHAEL J. HOEMER, CLERK
WESTERN DISTRICT OF NY

Plaintiff, who is incarcerated in the Southport Correctional Facility, filed this action naming four John Doe defendants. The Court requested that the New York State Attorney General identify those defendants he could identify. Because the Attorney General was able to give some information, but not specifically identify all defendants, plaintiff was directed to amend his complaint to identify those defendants he could now identify. Plaintiff has now identified two defendants (Docket # 5).

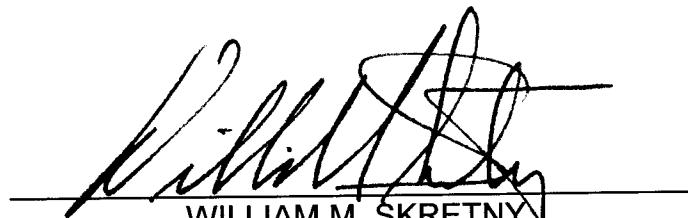
Plaintiff will need to identify the other defendants through discovery prior to the expiration of the statute of limitations.

The Clerk of the Court is directed to file plaintiff's papers, and to cause the United States Marshal to serve copies of the Summons, Complaint, and this Order upon the named defendants without plaintiff's payment therefor, unpaid fees to be recoverable if this action terminates by monetary award in plaintiff's favor.

Pursuant to 42 U.S.C. § 1997e(g)(2), the defendants are directed to answer the complaint.

SO ORDERED.

Dated: 12/21, 2010
Buffalo, New York



WILLIAM M. SKRETNY
Chief Judge
United States District Court